

AGENDA
CITY OF ATLANTA BOARD OF ZONING ADJUSTMENT
Friday, April 16, 2004 AT 1:00 P.M.
ATLANTA CITY HALL COUNCIL CHAMBER, SECOND FLOOR

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NEW CASES

- V-03-317** Application of **H. Stanley Wood** for variances from the zoning regulations to 1) reduce the side yard setback from the required 7 feet to 5 feet, 2) reduce the rear yard setback from 15 feet to 4 feet, and 3) increase lot coverage in the required rear yard to more than 25%, for construction of an attached garage. Property is located at **238 CAMDEN ROAD, N.E.**, and fronts 74.89 feet on the northwest side of Camden Road, beginning 914 feet from the southeast corner of Camden Road and Wakefield Drive. Zoned R-4 (Single-Family Residential) District. Land Lot 103 of the 17th District, Fulton County, Georgia.
Owner: H. Stanley Wood
Council District 7, NPU-E
- V-04-24** Application of **Edward Earle Smith** for a variance from the zoning regulations to reduce the south side yard setback from the required 10 feet to 5 feet, for construction of a detached carport. Property is located at **871 PEACHTREE BATTLE CIRCLE, N.W.**, and fronts 100 feet on the west side of Peachtree Battle Circle, beginning 281.6 feet south of the southwest corner of Peachtree Battle Avenue and Peachtree Battle Circle. Zoned R-3 (Single-Family Residential) District. Land Lot 184 of the 17th District, Fulton County, Georgia.
Owner: Elizabeth Ormsby
Council District 8, NPU-C
- V-04-44** Appeal of **Kathy Boehmer and Cole Cowden** by **Henry R. Bauer, Jr., Esq.**, of a decision of an administrative officer (i.e., a staff person) of the City of Atlanta that the developers of the Atlantic Station development have met a zoning condition regarding traffic calming. Property is located at **1300 MECASLIN STREET, N.W., (a.k.a. THE ATLANTIC STATION SITE)** and fronts 514.7 feet on the west side of Mecaslin Street, beginning at the northwest corner of Mecaslin Street and 16th Street. Zoned C-4-C (Central Area Commercial-Conditional) District. Land Lots 108, 148, and 149 of the 17th District, Fulton County, Georgia.
Owner: Atlantis 16th, L.L.C
Council Districts 7 and 8, NPU-E

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- V-04-45** Application of **David Lanier Mull and Donald J. Campbell** for a variance from the zoning regulations to reduce the half-depth front yard setback from the required 25 feet to 13 feet, to allow for a two-story attached garage to a single-family, detached house. Property is located at **1780 MERTON ROAD, N.E.**, and fronts 120 feet on the west side of Merton Road, beginning at the southwest corner of Merton Road and Wildwood Road. Zoned R-3 (Single-Family Residential) District. Land Lot 3 of the 17th District, Fulton County, Georgia.
Owners: David L. Mull and Donald J. Campbell
Council District 6, NPU-F
- V-04-46** Application of **Wilbert Williams** for variances from the zoning regulations to 1) reduce the front yard setback from the required 30 feet to 20 feet, 2) reduce the east side yard setback from the required 7 feet to 3 feet, 3) reduce the west side yard setback from the required 7 feet to 3 feet, and 4) increase the lot coverage from the maximum allowed of 50%, to 55%, for construction of a single-family, detached house. Property is located at **896 PELHAM STREET, N.W.**, and fronts 30 feet on the south side of Pelham Street, beginning 60 feet west of the southwest corner of Pelham Street and Lindsay Street. Zoned R-5 (Two-Family Residential) District. Land Lot 111 of the 14th District, Fulton County, Georgia.
Owner: Wilbert Williams
Council District 3, NPU-L
- V-04-48** Application of **Todd Tillman** for a variance from the zoning regulations to allow for a shared driveway with 3724 Martin L. King, Jr. Drive, where an independent driveway from a public street would otherwise be required. Property is located at **3804, 3828, 3844, & 3845 ADAMSVILLE PLACE PARKWAY, S.W.**, and fronts 615.10 feet on the north side of Adamsville Place Parkway, beginning 776.15 feet west of the northwest corner of Adamsville Place Parkway and Martin L. King, Jr. Drive. Zoned RG-3 (Residential General-Sector 3) District. Land Lot 15 of the 14FF District, Fulton County, Georgia.
Owner: Misty Ruby, L.P.
Council District 10, NPU-H

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- V-04-49** Application of **Sewanu Kponou** for variances to 1) reduce the northeast side yard setback from the required 10 feet to 3 ½ feet, 2) reduce the southwest side yard setback from the required 10 feet to 3 ½ feet, and 3) reduce the front yard setback from the required 50 feet to 20 feet, for construction of a new single-family, detached house. Property is located at **937 FLEETWOOD CIRCLE, S.W.**, and fronts 39.92 feet on the north side of Fleetwood Circle, beginning 1028 feet north of the northwest corner of Fleetwood Circle and Bollingbrook Drive. Zoned R-3 (Single-Family Residential) District. Land Lot 182 of the 14th District, Fulton County, Georgia.
Owner: Sewanu Kponou
Council District 11, NPU-I
- V-04-50** Application of **Judith A. Beeler** for a variance from the zoning regulations to reduce the west side yard setback from the required 7 feet to 4 feet, to allow for a deck addition. Property is located at **273 PEACHTREE WAY, N.E.**, and fronts 50 feet on the south side of Peachtree Way, beginning 50 feet west of the southwest corner of Peachtree Way and Acorn Avenue. Zoned R-4 (Single-Family Residential) District. Land Lot 101 of the 17th District, Fulton County, Georgia.
Owner: Judith A. Beeler
Council District 7, NPU-B
- V-04-51** Application of **Michael King** for variances from the zoning regulations to 1) reduce the east side yard setback from the required 7 feet to 6 feet, and 2) reduce the west side yard setback from the required 7 feet to 6 feet, for a two-story addition to a single-family, detached house. Property is located at **745 PONCE DE LEON TERRACE, N.E.**, and fronts 50 feet on the south side of Ponce de Leon Terrace, beginning 200 feet east of the southeast corner of Ponce de Leon Terrace and Ponce de Leon Place. Zoned R-4 (Single-Family Residential) District. Land Lot 17 of the 14th District, Fulton County, Georgia.
Owner: Michael King
Council District 6, NPU-F

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- V-04-52** Application of **Brian Sowell** for variances from the zoning regulations to 1) reduce the rear yard setback from the required 15 feet to 2 ½ feet, and 2) reduce the east side yard setback from the required 7 feet to 2 ½ feet, for construction of a detached garage. Property is located at **829 SHERWOOD ROAD, N.E.**, and fronts 77.5 feet on the southwest side of Sherwood Road, beginning 180 feet southwest of the west corner of Sherwood Road and Cumberland Road. Zoned R-4 (Single-Family Residential) District. Land Lot 51 of the 17th District, Fulton County, Georgia.
- V-04-53** Application of **Stephen Macauley** for variances from the zoning regulations to 1) reduce the east side yard setback from the required 7 feet to 2 feet, 2) reduce the rear yard setback from the required 15 feet to 1 foot, and 3) increase the height of and accessory structure from the maximum allowed of 20 feet to 24 feet, for construction of a detached garage. Property is located at **234 RUMSON ROAD, N.E.**, and fronts 68 feet on the north side of Rumson Road, beginning 651.8 feet from the northeast corner of Rumson Road and Bolling Road. Zoned R-4 (Single-Family Residential) District. Land Lot 100 of the 17th District, Fulton County, Georgia.
Owner: Stephen McCauley
Council District 7, NPU-B
- V-04-54** Application of **Lee Campbell King** for a variance to reduce the west side yard setback from the required 7 feet to 1 foot, for construction of a first floor addition to a single-family, detached house. Property is located at **165 RIDGELAND WAY, N.E.**, and fronts 50 feet on the south side of Ridgeland Way, beginning 50 feet west of the southwest corner of Ridgeland Way and Shenandoah Avenue. Zoned R-4 (Single-Family Residential) District. Land Lot 102 of the 17th District, Fulton County, Georgia.
Owner: Lee Campbell King
Council District 7, NPU-B

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- V-04-55** Application of **Julie Stewart** for a variance to reduce the south side yard setback from the required 7 feet to 2 feet, 9 inches, for a first floor addition to a single-family, detached house. Property is located at **82 PARK CIRCLE, N.E.**, and fronts 50 feet on the east side of Park Circle, beginning 481.6 feet north of the northeast corner of Park Circle and E. Paces Ferry Road. Zoned R-4 (Single-Family Residential) District. Land Lot 46 of the 17th District, Fulton County, Georgia.
Owner: Julie Stewart Thomas
Council District 7, NPU-B
- V-04-56** Application of **Stacey L'Hoste** for a variance to reduce the south side yard setback from the required 7 feet to 4 feet, for a two-story addition to a single-family, detached house. Property is located at **1254 HOLLY STREET, N.W.**, and fronts 50 feet on the west side of Holly Street, beginning 300 feet south of the southwest corner of Holly Street and 16th Street. Zoned R-5/SPI-8 (Two-Family Residential/Home Park Special Public Interest District). Land Lot 108 of the 17th District, Fulton County, Georgia.
Owner: Stacey L'Hoste
Council District 2, NPU-E
- V-04-57** Application of **Jon Kaye and Ron Kirk** for variances from the zoning regulations to 1) reduce the east side yard setback from the required 7 feet to 3 ½ feet, 2) reduce the west side yard setback from the required 7 feet to 4 ½ feet, and 3) reduce the front yard setback from the required 35 feet to 28 feet, for construction of a new, single-family, detached house. Property is located at **179 AVERY DRIVE, N.E.**, and fronts 60 feet on the south side of Avery Drive, beginning 530 feet north of the northeast intersection of Avery Drive and Beverly Road. Zoned R-4 (Single-Family Residential) District. Land Lot 56 of the 17th District, Fulton County, Georgia.
Owner: John Marrone
Council District 6, NPU-E

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- V-04-59** Application of **Katherine O. Herzfeld** for a variance from the zoning regulations to reduce the front yard setback from the required 50 feet to 35 feet, for construction of a front porch and a second story dormer addition to a single-family, detached house. Property is located at **840 GLENBROOK DRIVE, N.W.**, and fronts 100 feet on the south side of Glenbrook Drive, beginning 100 feet west of the southwest corner of Glenbrook Drive and Howell Mill Road. Zoned R-3A (Single-Family Residential) District. Land Lot 154 of the 17th District, Fulton County, Georgia.
Owners: Robert and Katherine Herzfeld
Council District 8, NPU-C
- V-04-60** Application of **Joseph Sawyer** for variances from the zoning regulations to 1) reduce the rear yard setback from the required 20 feet to 9 feet, 2) increase the lot coverage from the maximum allowed of 40% to 51%, and 3) cover more than 25% of the area of the rear yard, for construction of a swimming pool and spa. Property is located at **467 CONWAY MANOR DRIVE, N.W.**, and fronts 220 feet on the northeast side of Conway Manor Drive, beginning 199 feet from the northwest corner of Conway Manor Drive and E. Conway Drive. Zoned R-3 (Single-Family Residential) District. Land Lot 138 of the 17th District, Fulton County, Georgia.
Owner: Eric Price
Council District 8, NPU-A
- V-04-61** Application of **John Hopkins** for a variance from the zoning regulations to reduce the north side yard setback from the required 10 feet to 5 ½ feet, to increase the roof slope of an existing, legally nonconforming attached garage. Property is located at **422 BROADLAND ROAD, N.E.**, and fronts 100 feet on the south side of Broadland Road, beginning 1,300 feet east of the northeast corner of Broadland Road and Northside Drive. Zoned R-3 (Single-Family Residential) District. Land Lot 139 of the 17th District, Fulton County, Georgia.
Owner: Gayle Kennedy
Council District 8, NPU-A

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- V-04-62** Application of **Odis Miller** for 1) a special exception from the zoning regulations for a pool in a yard “adjacent” to a street, and variances from the zoning regulations to 2) reduce the half-depth front yard setback from the required 17 ½ feet to 12 feet, and 3) reduce the side yard setback from the required 7 feet to 1.5 feet, for pool equipment. Property is located at **67 The Prado, N.E.**, and fronts 70 feet on the northeast side of The Prado, beginning at the northeast corner of The Prado and Westminster. Zoned R-4 (Single-Family Residential) District. Land Lot 55 of the 17th District, Fulton County, Georgia.
Owner: Christina White
Council District 6, NPU-E
- V-04-63** Application of **Marjy and John Stagmeier** for variances from the zoning regulations to 1) reduce the south side yard setback from the required 7 feet to 4.8 feet, and 2) reduce the north side yard setback from the required 7 feet to 6.2 feet, for a second story addition to a single-family, detached house. Property is located at **77 E. PARK LANE, N.E.**, and fronts 46 feet on the southeast side of E. Park Lane, beginning 449.5 feet from the northeast corner of E. Park Lane and Westminister. Zoned R-4 (Single-Family Residential) District. Land Lot 55 of the 17th District, Fulton County, Georgia.
Owners: Marjy and John Stagmeier
Council District 6, NPU-E
- V-04-64** Application of **Dwight Ronbinson** for variances from the zoning regulations to 1) reduce the front yard setback from the required 50 feet to 25 feet, 2) reduce the rear yard setback from the required 20 feet to 5 feet, and 3) reduce the south side yard setback from the required 10 feet to 7 feet, for construction of a new, single-family, detached house. Property is located at **3190 McMURRAY DRIVE, S.W.**, and fronts 170.5 feet on the southwest side of McMurray Drive, beginning 1,298.2 feet from the southwest corner of McMurray Drive and Childress Drive. Zoned R-3 (Single-Family Residential) District. Land Lot 231 of the 14th District, Fulton County, Georgia.
Owner: Dwight Robinson
Council District 11, NPU-R

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- V-04-65** Application of **Molly Weathington** for a variance to increase a proposed driveway to 34 feet where up to a 20 foot wide driveway is otherwise allowed. Property is located at **1295 PEACHTREE BATTLE AVENUE, N.E.**, and fronts 89.9 feet on the west side of Bohler Road, beginning at the northwest corner of Bohler Road and Peachtree Battle Avenue. Zoned R-3 (Single-Family Residential) District. Land Lot 195 of the 17th District.
Owner: Molly Weathington
Council District 8, NPU-C
- V-04-68** Application of **Keith Sharpe** for variances from the zoning regulations to 1) reduce the front yard setback from the required 30 feet to 20 feet, and 2) reduce the northeast side yard setback from the required 7 feet to 5 feet, for a gable addition to a single-family, detached house. Property is located at **2076 BOLTON ROAD, N.W.**, and fronts 50 feet on the northwest side of Bolton Road, beginning 100 feet from the northwest corner of Bolton Road and Main Street. Zoned R-4A (Single-Family Residential) District. Land Lot 252 of the 17th District, Fulton County, Georgia.
Owner: Eric Hulsman for Spink Estates, LLC
Council District 9, NPU-D
- V-04-86** Application of **Leon Gaston** for a variance from the zoning regulations to reduce the half-depth front yard setback from the required 15 feet to 7 feet, for a first floor addition to a single-family, detached house. Property is located at 1207 **MERLIN AVENUE, S.E.**, and fronts 40 feet on the south side of Merlin Avenue, beginning at the southeast corner of Merlin Avenue and Mortimer Street. Zoned R-4A (Single-Family Residential) District. Land Lot 208 of the 15th District, DeKalb County, Georgia.
Owners: Leon and Belinda Gaston
Council District 5, NPU-O

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DEFERRED CASES

- V-03-410** Application of **Louis Pichulik** for a special exception from the zoning regulations to reduce the required on-site parking from 76 spaces to 48 spaces, for a four existing restaurants. Property is located at **465, 469 & 471 N. HIGHLAND AVENUE, N.E.**, and fronts 151 feet on the east side of N. Highland Avenue, beginning at the northeast corner of North Highland Avenue and Colquitt Street. Zoned HD-20L/RG-2 (Inman Park Historic District/Residential General-Sector 2 District). Land Lot 15 of the 14th District, Fulton County, Georgia.
Owner: Louis Pichulik, et. al.
Council District 2, NPU-N
- V-03-415** Application of **Marc S. Pollack of Lane Affordable Housing Corporation** for a variance from the zoning regulations to reduce the front yard setback from the required 40 feet to 20 feet, to allow for construction of a multi-family residential development. Property is located at **2060 BENT CREEK, S.W.**, and fronts 475 feet on the south side of Bent Creek Way, beginning 875 feet from the southwest corner of Bent Creek Way and Campbellton Road. Zoned RG-3 (Residential General-Sector 3) District. Land Lots 186 & 199 of the 14th District, Fulton County, Georgia.
Owner: Kermit G. Warren
Council District 11, NPU-R
- V-03-416** Application of **Marc S. Pollack of Lane Affordable Housing Corporation** for a variance from the zoning regulations to reduce the front yard setback from the required 40 feet to 20 feet, to allow for construction of a multi-family residential development. Property is located at **2061 BENT CREEK, S.W.**, and fronts 400 feet on the north side of Bent Creek Way, beginning 900 feet from the southeast corner of Bent Creek Way and Campbellton Road. Zoned RG-3 (Residential General-Sector 3) District. Land Lots 186 & 199 of the 14th District, Fulton County, Georgia.
Owner: Kermit G. Warren
Council District 11, NPU-R
- V-04-43** Application of **Brian LeSage** for a variance from the zoning regulations to reduce the front yard setback from the required 30 feet to 15 feet, for construction of a single-family, detached house. Property is located at **547 FOUNDRY STREET, N.W.**, and fronts 36 feet on the north side of Foundry Street, beginning at the northwest corner of Foundry Street and Maple Street. Zoned R-5 (Two-Family Residential) District. Land Lot 83 of the 14th District, Fulton County, Georgia.
Owner: Art Rappaport
Council District 3, NPU-L